MONDAY - AUGUST 26,1935

Pursuant to the adjournment taken from the regular meeting of the City Council of the City of Lodi held August 19, 1935. I enpeared at the Council Chambers of the said City Council at 8:00 o'clock F.M. of Monday, August 26, 1935. No members of the City Council appeared, and at 8:10 o'clock P.M. of said day, I adjourned and set over the meeting to and until 8:00 o'clock P.M. of Tuesday, September 3, 1935, the said date being that of the next regular meeting of the City Council. as the first Monday in September (September 2,1935) was a holiday.

August 26, 1935.

City Clerk.

COUNCIL CHAMBERS, CITY COUNCIL Tuesday, September 3, 1935

I appeared at the Council Chambers of the City Council at 7:50 o'clock P.M. on Tuesday, September 3, 1935 and remained in said Council Chambers to and until the hour of 8:05 o'clock P.M. No members of the City Council appeared and I adjourned and set over the regular meeting of the City Council to 8:00 o'clock P.M. of Thursday, September 5,1935 according to an oral agreement had with Councilmen Clark, Spooner and Weihe earlier in the day. Mayor Steele was absent from the City.

September 3, 1935

City Clerk.

COUNCIL CHAMBERS CITY COUNCIL.
Thursday, September 5,1935

The City Council met at 8:00 o'clock P.M. on Thursday, Sentember 5, 1935: Councilmen Clark, Shooner and Weihe present. Mayor Steele absent, being out of the City. On motion of Councilman Spooner, Clark second, Councilman Weihe was chosen Mayor pro-tem and opened the meeting.

Mr W. S. Reese and Mr W.H.Sifford appeared and filed a numerously signed petition asking that the palm trees on South Central Avenue be removed. The Mayor referred the matter to the Committee on Streets.

On applications submitted, Frank H. Wirtz, 27 N. Sacramento Street and John Woulos, 115 N. Sacramento Street were ordered granted licenses to conduct lawful games of cards and dice.

On motion of Councilman Clark, Spoaner second, the Superintendent of Streets was ordered to display the street flags on Admission Pay.

Reports of the Chief of Police and of the Poundmaster for the month of August were received, read and ordered filed.

Pifteen (15) building permits for structures to cost \$ 16,950.00 were ordered granted.

The Council then proceeded to the consideration of the annual budget preliminary to the setting of the tax rate for the next fiscal year.

On motion of Councilman Clark, Spooner second and carried unanimously the following changes in salaries and wages were ordered:-

Fire Department - Mages of Truck Drivers Sherman. Baker, Buell and Landback restored to \$150.00 per month effective Sentember 1, 1935, the relief driver to be paid at the same rate.

Electric Department - Lineman R.D.VcClure wages changed from \$7.00 per day to \$165.00 per month: Lineman's Helper, Robert McLane rate changed from 50% per hour to 62% per hour; F.E.Smith, Poreman, auto allowance increased from \$20.00 per month to \$25.00 per month, such changes to take effect September 1, 1935

changes to take effect September 1, 1935

Figureer's Department: Clifford Gatzert. Fod and Chain Man. increase from 50% per hour to 62% per hour effective as of July 1, 1835.

Ordinance No. 213 entitles "AN OPDINANCE LEVYING TAXES FOR THE FISCAL YEAR BEGINNING JULY 1. 1936" was introduced on motion of Councilman Spooner. Councilman Clark second and read in full by the Clerk: by the same motion, the said Ordinance was ordered laid over for the statutory period of not less than five days.

Claims in the total amount of \$15,307.29 as approved by the Pinance Committee were allowed and ordered paid on motion of Councilman Clark, Councilman Spooner second.

On motion of Councilman Clark, Councilman Spooner second and carried unanimously, the City Council of the City of Lodi adjourned to and until Monday September 16th, 1935 at the hour of 8:00 o'clock P.M. of said day. this date and hour being that of its next regular meeting.

City

The foregoing minutes of a regular meeting of the City Journal of the Dity of Lodi held September 5,1985 were read and approved without correction at a subsequent meeting of said Jity Council held September 16, 1935.

Layor of the City of Lodi September 13, 1933.

#### Monday, September 16, 1935

The City Council of the City of Lodi met in regular session at 8:00 O'clock P.M. of Monday, September 16, 1935. The meeting was called to order by the Mayor and the Clerk called the roll:

Present: Councilmen, Clark, Spooner, Weihe and Steele Absent: Councilmen, None. (Councilman Keagle died August 18, 1935.)

This being the first meeting following the Special Bond Election of September 12, 1935, the Clerk presented the returns thereof as filed with him by the four Inspectors of Election and the Mayor appointed Councilmen Clark and Weihe to canvass the returns, which canvass proceeded immediately before the open meeting of the Council. On completion of the canvass of the said election returns, Resolution No. 796 was presented and read in full by the Clerk and considered by the Council, being,  $^{m}A$  RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, STATING THE RESULT OF THE CANVASS OF THE ELECTION RETURNS OF THE SPECIAL BOND BLECTION HELD ON SEPTEMBER 12, 1935."

### RESOLUTION NO. 796

WHEREAS, the City Council of the City of Lodi by Ordinance No. 212 duly called and provided for the holding of a special election to be held in said City on September 12, 1935, for the purpose of submitting to the qualified voters of said City the proposition set forth in said ordinance and hereinafter stated; and

WHERBAS, notice of said election was duly given in time, form and manner as provided by law and said election was on said date held at the precincts designated in said ordinance, and said election was duly and legally held and conducted and the votes cast thereat canvassed and the returns thereof made at the time and in the manner provided by law; and

WHERRAS, on this 16th day of September, 1935, the first Monday after said election at 8:00 o'clock P.M., said City Council of said City of Lodi has duly assembled in regular meeting at the usual place of meeting of said Council in the City Hall in said City, and has canvassed said returns of said election:

NOW, THEREFORE, BE IT RESOLVED by the City Council of said City of Lodi that a special election, for the purpose of submitting to the cualified voters of said city the said proposition, hereinafter set forth, was duly called and ordered to be held on September 12, 1935, by said Ordinance No. 212 and that notice of said election was duly given in time, form and manner as provided by law, and that said election was on said 12th day of September, 1935, duly and legally held and conducted and the votes cast thereat canvessed and the returns thereof made at the time and in the form and manner required by law; and

EE IT FURTHER RESOLVED, that the proposition set forth in said Ordinance No. 212 and voted upon at said election was:

PROPOSITION: Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$466,000 for the acquisition and construction by the City of Lodi of a certain municipal improvement, to-wit: The construction of a hydro-electric generating plant, Diesel electric generating plant and transmission line, including lands, rights of way, easements dam, penstock, power plant and building, transmission lines, conduits, wires, poles, substations, transformers, dynamos, motors, switches, machinery, apperatus, fixtures, equipment, and other structures, works, rights and properties necessary or convenient to generate electricity to supply said City of Loci and its inhabitants with electricity for light, heat and power? and

BE IT FURTHER RESOLVED, that from said returns it appears and this City Council finds that the whole number of votes cast in Consolidated Voting Precinct A on said Proposition was 571; that the total number of votes cast in said precinct for said Proposition was 424; that the total number of votes cast in said precinct against said Proposition was 147.

BE IT FURTHER RESOLVED, that from said returns it appears and this City Council finds that the whole number of votes cast in Consolidated Voting Precinct B on said Proposition was 446; that the total number of votes cast in said precinct for said Proposition was 311; that the total number of votes cast in said precinct against said Proposition was 135.

EE IT FURTHER RESOLVED, that from said returns it appears and this City Council finds that the whole number of votes cast in Consolidated Voting Precinct C on said Proposition was 473; that the total number of votes cast in said precinct for said Proposition was 312; that the total number of votes cast in said precinct against said Proposition was 161.

BE IT FURTHER RESOLVED, that from said returns it appears and this City Council finds that the whole number of votes cast in Consolidated Voting Precinct D on said Proposition was 396; that the total number of votes cast in said precinct for said Proposition was 260; that the total number of votes cast in said precinct against said Proposition was 136.

EE IT FURTHER RESOLVED, that the whole number of votes cast in said City of Lodi on said Proposition was 1,886; that the total number of votes cast in said City for said Proposition was 1,307; that the total number of votes cast in said city against said Proposition was 579.

EE IT FURTHER RESOLVED, that the votes of more than two-thirds of all of the voters voting at said election on said proposition were cast in favor of the adoption thereof, and said proposition is hereby declared to be carried, and the City Council of said city is authorized to issue bonds therefor as provided by law.

SIGNED, ADOPTED and APPROVED this leth day of September , 1935.

(SEAL)
Attest:
(Signed) J. F. BLAKELY
City Clerk

(Signed) G. M. STRELR
Mayor of the City of Lodi, Calif.

On motion of Councilman Weihe, Councilman Clark second, Resolution No. 796 was passed and adopted by the following vote:

AYES: Councilmen, Meihe, Clark, Spooner and Steele.

NOES: Councilmen, None.
NOT VOTING: Councilmen, None.

The following statement was presented and read by the City Clerk:

#### STATEMENT OF THE CLERK.

I, J. F. BLAKELY, Clerk of the City of Lodi, California, do hereby certify and declare that a special election was duly and regularly held in said City on September 12, 1935, to vote upon the proposition hereinafter stated and pursuant to Ordinance No. 212 of said City, and that the proposition set forth in said Ordinance and stated upon the ballot used at said election and voted upon is as follows:

PROPOSITION: Shall the City of Lodi incur a bonded indebtedness in the principal amount of \$466,000 for the acquisition and construction by the City of Lodi of a certain municipal improvement, to-wit: The construction of a hydro-electric generating plant, Diesel electric generating plant and transmission line, including lands, rights of way, easements, dam, penstock, power plant and building, transmission lines, conduits, wires, poles, substations, transformers, dynamos, motors, switches, machinery, apparatus, fixtures, equipment, and other structures, works, rights and properties necessary or convenient to generate electricity to supply said City of Lodi and its inhabitants with electricity for light, heat, and power? and

that the returns of said election have been duly and regularly made and have been duly and regularly canvassed by the City Council of said City of Lodi at a regular meeting of said Council held on September 16, 1935, at 8:00 O'clock P.M., at the usual meeting place of said Council at the City Hall in said City, and that from said returns it appears and said City Council has found that the whole number of votes cast in said City of Lodi at said election was 1,886; that at said election the total number of votes cast in Consolidated Voting Precinct A was 571; that the number of votes cast in said precinct against said Proposition was 147: That at said election the total number of votes cast in Consolidated Voting Precinct B was 446; that the number of votes cast in said precinct for said Proposition was 311; that the number of votes cast in said precinct against said Proposition was 135. That at said election the total number of votes cast in Consolidated Voting Precinct C was 473; that the number of votes cast in said precinct for said Proposition was 312; that the number of votes cast in said precinct against said Proposition was 161. That at said election the total number of votes cast in Consolidated Voting Precinct D was 396; that the number of votes cast in said precinct for said Proposition was 260; that the number of votes cast in said precinct against said Proposition was 136. That the total number of votes cast in said City of Lodi for said Proposition was 1,307; that the total number of votes cast in said City of Lodi against said Proposition was 579; that the votes of more than two-thirds of all of the voters voting on said proposition were cast in favor of the adoption thereof, and that said proposition carried.

I DO FURTHER CERTIFY that the foregoing statement of result is a full, true and correct statement of the facts of said canvass and of the result of said election, and that as soon as the result was declared said statement of result was duly entered on the records of said City Council by me, the clerk of said Council, in Minute Book Five Page 242 et seq.

Entered - September 16, 1935

(SEAL)

(SIGNED) J. F. BLAKELY City Clerk of the City of Lodi, Calif.

On motion of Councilman Spooner, seconded by Councilman Weihe, and carried, the report of the Clerk was ordered accepted and filed.

This, also, being the first meeting following the holding of the Special Annexation Election on September 12, 1935, the same tellers as appointed for the Special Bond Election canvassed the returns of that election and announced the results thereof to the City Council. On motion of Councilman Weihe, seconded by Councilman Spooner, the following report was approved and adopted by the following vote:

AYES: Councilmen, Weihe, Spooner, Clark and Steele NOES: Councilmen, None.

REPORT OF CITY COUNCIL OF THE CITY OF LODI ON, AND STATING THE RESULT OF, THE CANVASS OF THE ELECTION RETURNS OF SPECIAL ELECTION HELD ON SEPTEMBER 12TH, 1935, ON THE QUESTION OF THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF LODI.

The City Council of the City of Lodi hereby makes and enters upon its minutes the following report and does hereby state and report as follows:

That said City Council of said City of Lodi, a municipal corporation of the sixth class, did on the 9th day of August, 1935, receive a written petition asking that certain new uninhabited territory hereinafter described, be included in the said City of Lodi, and containing a description of such new uninhabited territory and signed by more than one-tenth in number of the qualified electors of such municipality computed upon the number of votes cast at the last general municipal election theretofore held in said city.

That after so receiving said petition and without delay, and on August 12th, 1935, said City Council duly and regularly notified the Board of Supervisors of the County of San Joaquin, State of California, in which said city is located, of the fact of filing such petition.

That after receiving such notification and on August 12th, 1935, said Board of Supervisors caused notice to be published for a period of five days, to-wit, on August 12th, 13th, 14th, 15th, 16th and 17th, 1935, in "THE STOCKTON RECORD", a newspaper of general circulation, printed and published in said County of San Joaquin, setting forth by general description the land so sought to be annexed to said municipality, and announcing the time and place when and where objections to said annexation will be heard, which last-mentioned time and place, as stated in said notice, were and are Monday August 19th, 1935, at two o'clock in the afternoon of said day, at the regular meeting place, to-wit; the office and room of said Board of Supervisors in the Court House of said County of San Joaquin, at Stockton, San Joaquin County, California.

That proof of such publication of said notice was duly and regularly made to said Board of Supervisors at two o'clock in the afternoon on August 19th, 1935.

That purusant to such notice, so caused to be published by said Board of Supervisors as aforesaid, and at the time and place specified in said notice, to-wit, at two o'clock in the afternoon on August 19th, 1935, at said regular meeting place, and room of said Board of Supervisors the matter of hearing any and all remonstrances, protestations and objections against said annexation, came duly and regularly on for hearing and was heard before said Board of Supervisors, and it duly and regularly appeared to said Board of Supervisors that said notice had been duly and regularly given as aforesaid and no objection, protestation or remonstrance to or against the said annexation was made or filed to or with said Board of Supervisors; and said Board of Supervisors thereupon and at two c'clock in the afternoon of August 19th, 1935, at its regular meeting as aforeseid, duly and regularly heard and considered the matter of said annexation, and duly and regularly passed its resolution consenting to the annexation of said uninhabited territory by said City of Lodi, a municipal corporation, and consenting that said new uninhabited territory be included in and made a part of said City and that the boundaries of said City be changed accordingly and that a certified copy of said last-

mentioned resolution was on said 19th day of August, 1935, duly and regularly filed with and received by the said City Council and the Clerk thereof.

That said petition and all the proceedings heretofore and hereinafter mentioned were had pursuant to, and fully comply with, all the terms and provisions of Act 5163, General Laws of the State of California, and acts amendatory thereto.

That after so receiving and filing the said certified copy of said resolution of said Board of Supervisors as aforesaid, and on August 19th, 1935 and at a regular meeting of said City Council duly and regularly held at the Council Chambers thereof at the City Hall at Lodi, San Joaquin County, California, said City Council duly and regularly passed and adopted a certain resolution submitting to the electors of said City of Lodi the question of whether or not said new uninhabited territory should be annexed to and in-corporated in and made a part of said City of Lodi, in and by which resolution it is resolved (1) that a special election is to be called and ordered to be held in said City of Lodi on Thursday September 12th, 1935, for the purpose of submitting to the qualified electors of said City of Lodi a proposition as hereinafter stated to annex to and make a part of said city the uninhabited territory hereinafter described and to change the boundaries of said city accordingly, (2) that the objects and purposes for which said election is and was called and was to be held and was held is and was to submit to the qualified electors of said city, and there was thereby submitted to said qualified electors at said election, a proposition as follows:

#### "PROPOSITION

"Shall the uninhabited territory hereinafter described, be annexed to, incorporated in and made a part of the City of Lodi, a Municipal Corporation, and shall the coundaries of said City of Lodi be changed and altered accordingly and so as to include said uninhabited territory, which uninhabited territory is situated in the County of San Joaquin, State of California, and bounded and described as follows, to-wit:

A part of "HUTCHINS HOMESTEAD ADDITION", as per map thereof filed September 13, 1922, and recorded in Vol. 10 of Maps and Plats at page 60 in the office of the County Recorder of the County of San Joaquin, State of California, which part of said addition is bounded on the South by the North line of "Sargent Road", on the West by the West line of Orange Avenue as said Avenue is delineated on Map recorded in Vol. 11 of Maps and Plats at page 13 in the office of the County Recorder of San Joaquin County, California, on the North by the South line of Oak Street, and on the Rast by the Westerly boundary of said City."

and (3) said last-mentioned resolution further provided that the City Clerk of said City was thereby ordered, for and on behalf of said city and for and on behalf of said City Council, to give and cause to be given notice of said election by publication of such notice in "THE LODI NEWS-SENTINEL", a newspaper of general circulation printed and published in the City of Lodi for at least once a week for a period of two weeks previous to said election, and that such notice should state that it is proposed to incorporate the territory so sought to be annexed as a part of said city and that said no tice should invite the electors of said city to vote upon said proposition by marking their ballots "For annexation" or "Aginst annexation", and that in said notice the said territory so sought to be annexed to said City should be generally described in such manner as to apprise the voters of the particular land so sought to be annexed and (4) said last-mentioned resolution further provided that if the proposition so submitted should receive the requisite number of votes, to-wit, a majority of all the votes cast in favor of said annexation, the said new and uninhabited territory should be annexed to and made a part of said city, and (5) said resolution further established and the notice hereinafter mentioned designated, the voting precincts and places at which the polls would be open in said city, and appointed the officers of such election, to-wit, two judges and one inspector, each of whom was a qualified elector of said city, and established and provided for the form of ballot to be used in said election and provided for the method of holding and conducting said election, all pursuant to said act and acts amendatory thereto, and all pursuant to the laws of the State of California in such cases made and provided.

That thereafter and pursuant to said resolution last aforesaid, and pursuant to said act and acts amendatory thereto, and pursuant to the laws of the State of California, notice of said election was duly and regularly given and published in said newspaper at least once a week for a period of two weeks next preceding said election and that thereafter and pursuant to the said notice and pursuant to the proceeding aforesaid and pursuant to said act and acts amendatory thereto and pursuant to law, said election was duly and regularly held on Thursday, September 12th, 1935, between the hours of six o'clock in the forenoon and seven o'clock in the afternoon of said day, and that at said election said proposition was duly and regularly submitted to the qualified electors of said city.

That after said election was duly and regularly held as aforesaid, the judges and inspectors of said election immediately upon the closing of the polls at seven o'clock in the afternoon of September 12th, 1935, duly and regularly counted the ballots cast at said election and duly and regularly made up and certified the returns of the ballots cast at their respective polling places as quickly as practicable in the manner provided in the haws of this state and deposited, on September 12th, 1935, all of said returns of said election with the clerk of said city.

That the legislative body of said city, to-wit, the City Council thereof, at the time provided for its regular meeting next after the returns were so filed with said city, to-wit, at eight o'clock in the afternoon on September 16th, 1935, at the Council Chambers of said City, to-wit, the regular meeting place of said City Council in the City Hall at Lodi, San Joaquin County, California, duly and regularly met and proceeded to open and canvass said returns and completed the canvass thereof and immediately upon the completion of said canvass made and caused this report thereof to be made and entered upon its minutes, showing the number of votes cast and the number of votes cast in favor of said annexation and the number of votes cast against said annexation.

That from said returns and said canvass it appears, and this City Council finds, that the whole number of votes cast at said election in all of said precincts on the said proposition was 1,195; that the total number of votes cast in and at said election in all of said precincts in favor of said proposition, to-wit, in favor of said annexation was 1,079; that the total number of votes cast at and in said election in all of said precincts against said proposition, to-wit, against said annexation, was 116.

That the votes of more than a majority of all the voters voting at said election on the said proposition were cast in favor of the adoption of said proposition, to-wit, in favor of the said annexation and that the said proposition and the said annexation is hereby declared to be carried, and that said new uninhabited territory is hereby declared to be annexed to and made a part of and incorporated in the said City of Lodi. The said new uninhabited territory which is so annexed to and made a part of and included in said City of Lodi is situated in the County of San Joaquin, State of California, and described as follows, to-wit:

A part of "HUTCHINS HOMESTEAD ADDITION", as per map thereof filed September 13, 1922, and recorded in Vol. 10 of Maps and Plats at page 60 in the office of the County Recorder of the County of San Josquin, State of California, which part of said addition is bounded on the South by the North line of "Sargent Road", on the West by the West line of Orange Avenue as said Avenue is delineated on Map recorded in Volume 11 of Maps and Plats at page 13 in the office of the County Recorder of San Josquin County, California, on the North by the South line of Oak Street, and on the Bast by the Westerly boundary of said City.

That the Clerk of said City of Lodi and of said City Council, is hereby ordered to make and certify, under the seal of said municipal corporation and transmit to the Secretary of State of the State of California, and to the Board of Supervisors of the County of San Joaquin, in which said City is located, a copy of this report, so entered upon its minutes, together with a statement showing the date of said election and the time and result of said canvass, and that said documents shall be filed by the said Secretary of State and by the Clerk of the said Board of Supervisors, and from and after the time of filing said document in the

office of the Secretary of State the annexation of said territory to said City of Lodi shall be deemed and shall be complete and thenceforth said territory shall be a part of said City of Lodi for all intents and purposes.

The Mayor then approved and signed the foregoing report and the same was attested by the City Clerk.

Ordinance No. 213, entitled, "AN ORDINANCE LEVYING TAXES FOR THE FISCAL YEAR BEGINNING JULY 1, 1936" having been regularly introduced on September 5, 1935, was brought up for final passage and adoption. On motion of Councilman Weihe, Councilman Clark second, second reading of the ordinance was omitted and the same was passed and adopted by the following vote:-

AYES: Councilmen, Weihe, Clark, Spooner and Steele NOES: Councilmen, None.

The Mayor then approved and signed the ordinance.

The Mayor then called the Council into executive session and all Councilmen retired to the Committee Room, returning to the Council Chambers at 8:45 o'clock P.M.

On the return of the Council to the Council Chambers, Councilman Clark introduced the following resolution, seconded by Councilman Weihe, and the same was read by the Clerk.

#### RESOLUTION NO. 795

WHERRAS, there now exists a vacancy in the membership of this City Council caused by the death of Mr. George A. Keagle who died August 18, 1935;

AND, WHEREAS, it is incumbent upon the remaining members of this Council to name his successor in such office;

ER IT RESOLVED, THEREFORE, by the City Council of the City of Lodi that E. F. GRAFFIGNA residing at 616 N. Pleasant Ave., Lodi California, being duly qualified, be, and he is hereby appointed to the office of City Councilman of the City of Lodi to serve to and until the date of the next regular municipal election in this City. This appointment shall be effective upon and after the date hereof providing the appointment thereto has first made and subscribed to the Statutory oath of office.

AYES: Councilmen, Weihe, Clark, Spooner and Steele. NOBS: Councilmen, None.

At 8:55 o'clock P.M. and subsequent to all proceedings heretofore had at this meeting and set forth in the minutes thereof, the newly appointed Councilman, Mr. E. F. Graffigna, appeared. The Clerk administered the statutory oath of office, which was signed by Mr. Graffigna and he took his seat in the City Council.

Claims in the amount of \$3,343.14 as approved by the Finance Committee, were allowed and ordered paid on motion of Councilman Weihe, Councilman Clark second.

The application of Edward Hutchins for extension of city services to the newly annexed portion of "Hutchins Homestead Addition" was referred to the Committee on Public Utilities.

The Mayor then appointed Councilman Graffigna to serve on the Committees of the Council in the positions held by the late Councilman Keagle.

On motion of Councilman Weihe, seconded by Councilman Clark, the Mayor and the City Clerk and such other members of the City Council as might care to attend, were named as delegates representing the City at the annual convention of the League of California Municipalities to be held in San Francisco beginning September 23, 1935.

On motion of Councilman Weihe, seconded by Councilman Clark, the City Council then adjourned to and until 8:00 o'clock P.M.

of Thursday, September 19, 1935.

The foregoing minutes of a regular meeting of the City Council of the City of Loci were read and approved without correction at a subsequent meeting of said City Council held October 7, 1935.

October 7, 1935